

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

JOSEPH W. BEST

Plaintiff

v.

C. H. ROBINSON COMPANY, *et al*

Defendants

CIVIL ACTION NO. 14-1378

JUDGE CATHY BISSOON

ORDER

AND NOW, to wit, this 8<sup>th</sup> day of May, 2015, upon consideration of Plaintiff's Petition for Approval of Compromise and Settlement, the testimony and evidence presented and any response thereto, and good cause appearing, it is hereby ORDERED ADJUDGED and DECREED that Plaintiff's Petition for Approval of Compromise and Settlement is GRANTED and the following is ORDERED ADJUDGED and DECREED:

1. The Court hereby ORDERS the approval of the Compromise and Settlement of Plaintiffs' claims against Defendant C.H. Robinson Company, and against Timberlake Logistics Corporation, and against Brian Altman and Samantha A. Ryan, and against Progressive Direct Insurance Company.
2. The Court hereby ORDERS the distribution of settlement proceeds in accordance with Plaintiff's Petition for Approval of Compromise and Settlement.
3. The Court hereby ORDERS authorization of the payment of settlement proceeds to be distributed equally as shown above to the Estate of Gerri Best, deceased under the Pennsylvania Wrongful Death Act and under the Pennsylvania Survival Act.
4. The Court hereby ORDERS authorization of the payment of expenses of litigation and fees to the parties and to Liles Harris PLLC and Fellerman & Ciarimboli Law, P.C.

5. The Court hereby ORDERS that from the total settlement proceeds, Charity Best nets \$322,933.04 and Joseph Best nets the same amount.
6. The Court hereby ORDERS that the parties Joyce Kirkham and Joseph Best request that the Court order the net amount of settlement proceeds to be allocated for Charity Best (\$322,933.04), and Order the Insurer for Defendant to pay to the individual named below (the "Payee") the sums outlined in this section (a) below:
  - a. Periodic payments payable to Charity Best (Payee) made according to the schedule as follows (the "Periodic Payments"):

Payee: Charity Best

Pay \$25,000.00 on 7/23/2019 (age 18).

\$10,000.00 payable semi-annually, beginning on 07/23/2019 (age 18). Payments are guaranteed for 4 years (8 guaranteed payments).

\$250.00 payable monthly, beginning on 07/23/2019 (age 18). Payments are guaranteed for 4 years (48 guaranteed payments).

\$976.00 payable monthly for life, beginning on 07/23/2023 (age 22). Payments are guaranteed for 40 years (480 guaranteed payments).

Assignment: The Defendant's obligation to make the periodic payments described herein shall be assigned to BHG Structured Settlements, Inc. through a Qualified Assignment and funded by an annuity contract issued by Berkshire Hathaway Life Insurance Company of Nebraska, rated A++XV by A.M. Best. To fund the periodic payments, Defendant will issue a check in the amount of \$322,933.04 payable to BHG Structured Settlements, Inc.

7. The Court hereby ORDERS:

- a. Payment to Liles Harris PLLC in the amount of \$378,886.50 for counsel fees pursuant to the terms and conditions of the fee agreement with Fellerman & Ciarimboli Law, P.C.

- b. Payment to Fellerman & Ciarimboli Law, P.C. in the amount of \$42,098.50 for counsel fees pursuant to the terms and conditions of the fee agreement with Liles Harris PLLC.
- c. Reimbursement to Liles Harris PLLC in the amount of \$26,182.31 for litigation expenses.
- d. Reimbursement to Fellerman & Ciarimboli Law, P.C. in the amount of \$3,585.86 for litigation expenses.
- e. The balance of the settlement proceeds is \$301,313.79, which shall be issued to Joseph Best, as Administrator of the Estate of Gerri Best, deceased, for distribution as outlined above.

BY THE COURT

**s./ Cathy Bissoon**

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JUDGE PRESIDING